Document No. 4003
Voted at Meeting of 10/2/80

BOARD OF APPEAL REFERRALS October 2, 1980

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42 Wellesley Park, Dorchester

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9. Z-4893 Tung Fong Realty, Inc.
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10. Z-4896-4897 R. Morton Claflin
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11. Z-4911 Anthony Corrao
96 Faywood Avenue, East Boston

MEMORANDUM October 2, 1980

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert J. Ryan, Director

SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 10/7/80

Z-4794
David R. Schiller
42 Wellesley Park, Dorchester
near Melville Avenue

2 1/2-story frame structure.

District(s): apartment_____ general business_____ industrial_____
residential R-.5 local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: Change occupancy from one to two family dwelling.

Violation(s):

Section		Required	Proposed
8-7.	Dwelling converted for more families which meets at least one half the requirement for lot area is conditional in an R-.5 District.		
14-2.	Lot area is insufficient.		

Conversion is contrary to the predominant single family owner-occupied properties in the neighborhood. There are no provisions for off-street parking. Melville Park Association is opposed; Neighborhood has expressed strong opposition. Recommend denial.

VOTED: In reference to Petition Z-4794, brought by David R. Schiller, 42 Wellesley Park, Dorchester, for a conditional use and a variance for change of occupancy from one to two family dwelling in a Residential (R-.5) District, the Boston Redevelopment Authority recommends denial. Conversion is contrary to the predominant single family owner occupied properties in the neighborhood. There are no provisions for off-street parking.

Z-4794
42 WELLESLEY PARK
(BOR.)
GIBSON PLAYGROUND
DOHERTY PLAYGROUND
STANDS
BOURNESIDE
MARLOWE
STREET
AVENUE
PARK
PAISLEY
CENTERVALE
UPLAND
NOSNIA
WELLESLEY
M.B.T.A. (UNDERGROUND)
DORCHESTER
SILLOWAY
PENHALLOW
MATHER
MELVILLE
WALDECK
TOWANDA
LINDSEY
CHRISTOPHER
GIBSON
PARKMAN
DIX
PARKING
CHRIST UNITARIAN CHURCH
WALL

Board of Appeal Referrals 10/2/80

Z-4795
Richard Lusignea &
Jacqueline Hooper
15 Elko Street, Brighton
near Cambridge Street

Hearing: 10/7/80.

2 1/2-story frame structure.

District(s):			
apartment		general business	industrial
residential R-.5		local business	waterfront
single family			manufacturing

Purpose: Change occupancy from one-family dwelling to two family dwelling.

Violation(s):

Section	Required	Proposed
8-7. Dwelling converted for more families which meets at least one half the requirement for lot area is conditional in an R-.5 District.		
14-2. Lot area is insufficient.		

Proposal is compatible with mixed two-family - apartment residential neighborhood. Off-street parking is provided. Civic groups have expressed support. Recommend approval.

VOTED: In reference to Petition Z-4795, brought by Richard Lusignea & Jacqueline Hooper, 15 Elko Street, Brighton, for a conditional use and variance for change of occupancy from one to two family dwelling in a Residential (R-.5) District, the Boston Redevelopment Authority recommends approval. Proposal is compatible with two-family - apartment neighborhood. Off-street parking is provided.

Z-4795
15 ELKO ST.
(BRI.)
MAPLETON
STREET
SPARHAWK
MARKET
BENTLEY
MENLO
ELMO
ELKO ST.
HENSHAW
WALDO
WIRT
CAMBRIDGE
WASHINGTON
PARKLAND
SHEPARD
SHANNON
WINSHIP
POLICE STATION
SAINT ELIZABETH'S HOSPITAL
PARKING
WALL

Board of Appeal Referrals 10/2/80

Z-4796
Frances Merry Barnard House, Inc.
50 Beacon Street, Hyde Park
at Milton Avenue

Hearing: 10/7/80

2 1/2 story frame structure.

District(s):			
apartment		general business	industrial
residential		local business	waterfront
single family S-.5			manufacturing

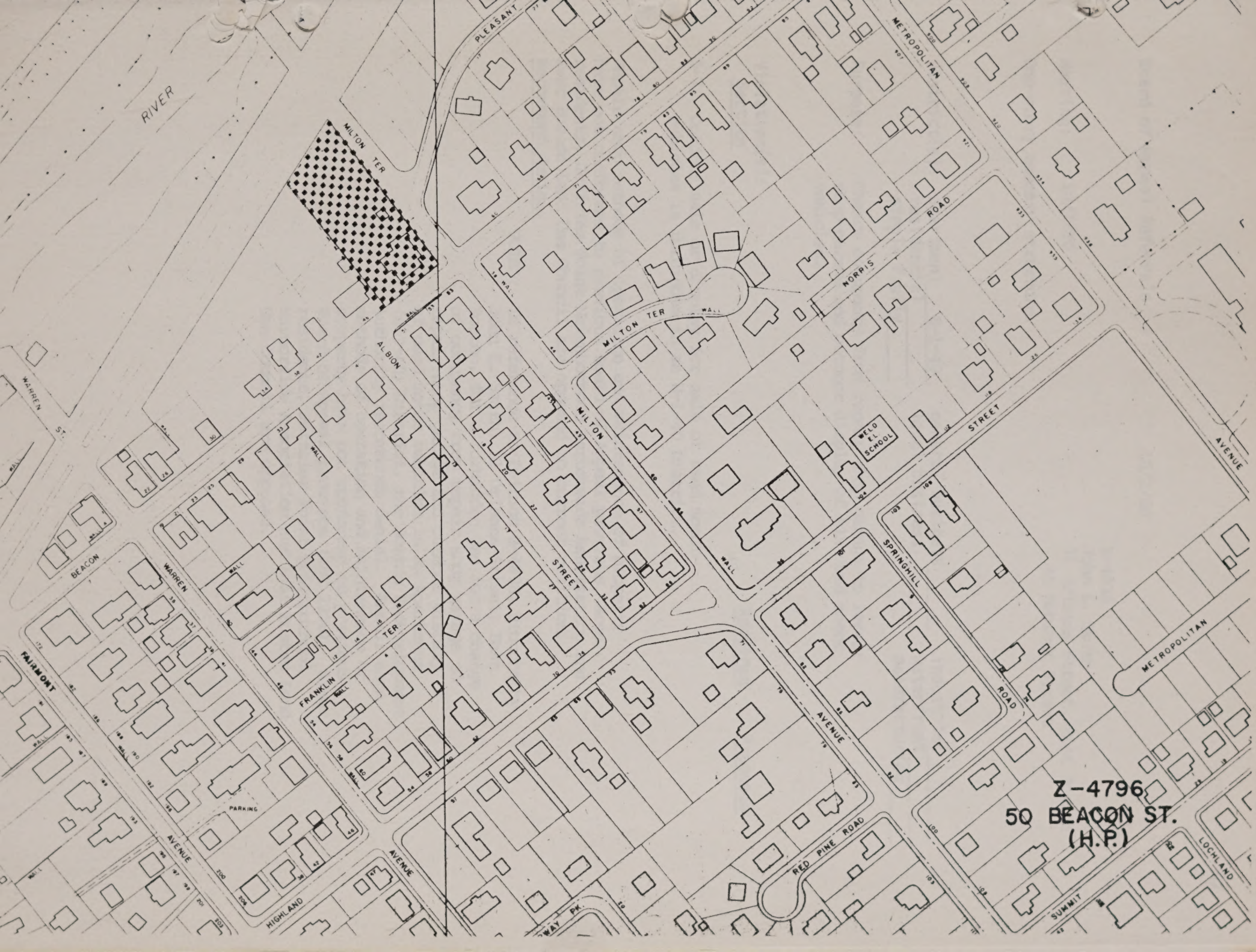
Purpose: Increase capacity of Rest Home from nine to thirteen residents and three to five live-in staff.

Violation(s):

Section	Required	Proposed
9-2. Change in a non-conforming use requires Board of Appeal approval.		

Expansion of the Rest Home facility would have an adverse effect on the residential character of this single-family neighborhood. Strong oppostion is indicated. Recommend denial.

VOTED: In reference to Petition Z-4796, brought by Frances Merry Barnard Home Inc., 50 Beacon Street, Hyde Park, for change in a non-conforming use to increase capacity of Rest Home in a single family (S-.5) District, the Boston Redevelopment Authority recommends denial. Expansion of the Rest Home facility would have an adverse effect on the residential character of this single-family neighborhood.


RIVER
MILTON TER
PLEASANT
METROPOLITAN
ROAD
NORRIS
MILTON TER
WALL
ALBION
MILTON
STREET
WELD EL SCHOOL
AVENUE
WARREN ST.
BEACON
WARREN
WALL
FRANKLIN
TER
SPRINGHILL
ROAD
METROPOLITAN
FAIRMONT
AVENUE
PARKING
HIGHLAND
AVENUE
RED PINE ROAD
WAY PK.
SUMMIT
LOCHLAND
Z-4796
50 BEACON ST.
(H.P.)

Board of Appeal Referrals 10/2/80

Z-4838
John L. Smith
31 Orleans Street, East Boston
at Webster Street

Hearing: 10/7/80

One-story masonry structure.

District(s): apartment H-1-40 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from repair shop garage to repair shop garage and outdoor display of six used motor vehicles.

Violation(s):

Section	Required	Proposed
8-7. Outdoor sale or display for sale of used motor vehicles is forbidden in an H-1-40 District.		

Repair shop methods of operation and maintenance of property have not conformed to previous Board of Appeal provisos. Area residents, Jeffries Point Neighborhood Harborside Association and East Boston Land Use Council are opposed to current petition. Recommend denial.

VOTED: In reference to Peition Z-4838, brought by John L. Smith, 31 Orleans Street, East Boston, for a forbidden use for a change of occupancy from repair shop garage to repair shop garage and outdoor display of of used motor vehicles in an Apartment (H-1-40) District, the Boston Redevelopment Authority recommends denial. Repair shop methods of operation and maintenance of property have not conformed to previous Board of Appeal provisos (BZC 2298). Area residents, Jeffries Point Neighborhood Harborside Association and East Boston Land Use Council are opposed.

Z-4838
31 ORLEANS ST.
(E.B.)

Board of Appeal Referrals 10/2/80

Z-4839
New Boston Television, Inc.
83 Leo M. Birmingham Parkway,
Brighton at Market Street

Hearing: 10/7/80.

One-story masonry structure.

District(s): apartment_____ general business_____ industrial_____
residential_____ local business_____ waterfront_____
single family_____ manufacturing M-1

Purpose: Remove three existing signs; replace with neon letters and illuminated message board.

Violation(s):

Section	Required	Proposed
11-2. A free standing sign with more than three faces, in excess of 300 square feet of signage and higher than eighty feet is not allowed.		

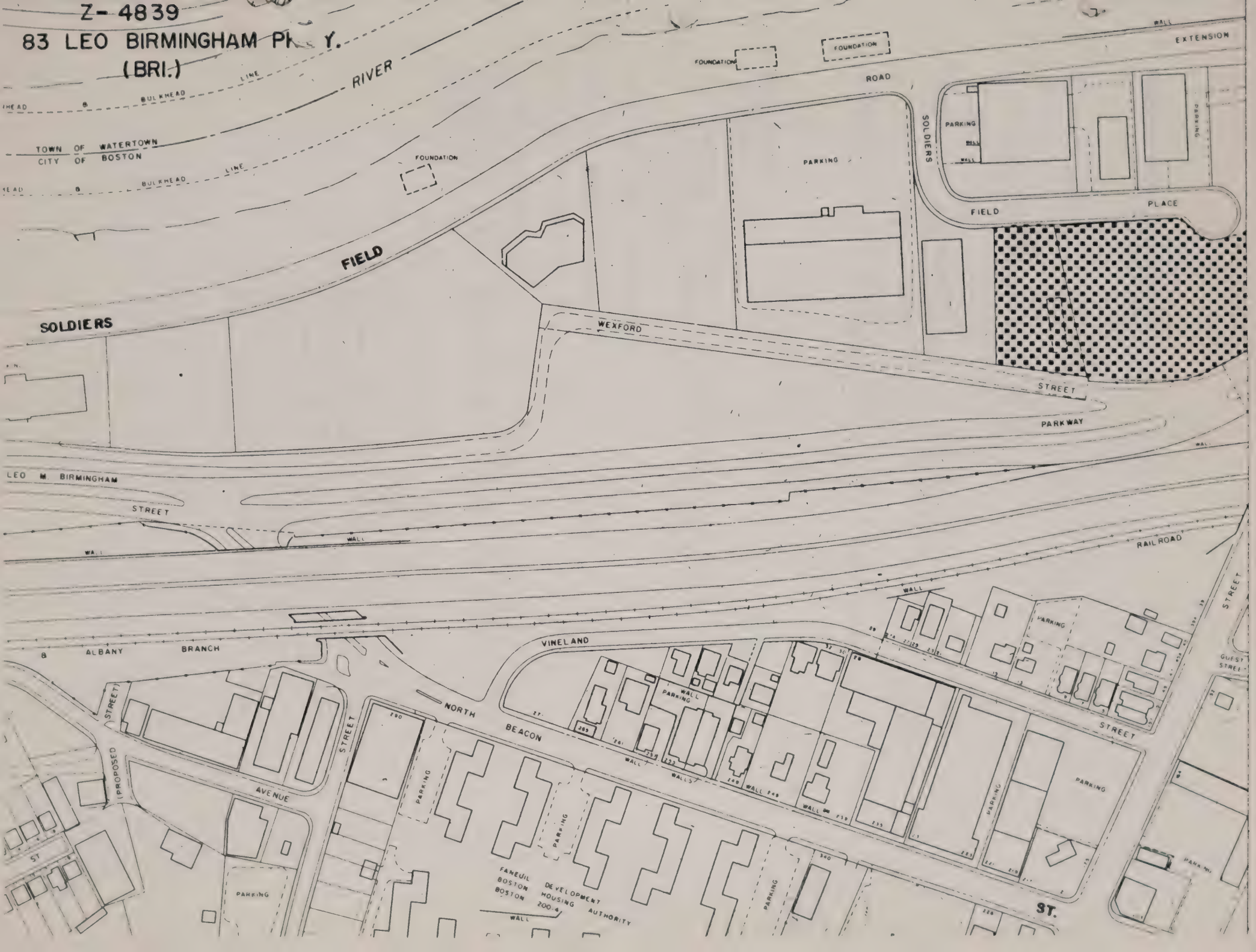
It is proposed to remove three sets of six foot high neon letters (TV & 38) from existing TV tower and replace with three sets of similar letters five feet high and an 18' x 8' illuminated message board. Recommend approval with provisos.

VOTED: In reference to Petition Z-4839, brought by New Boston Television Inc., 83 Leo M. Birmingham Parkway, Brighton, for a conditional use to remove and replace signs in a Manufacturing (M-1) District, the Boston Redevelopment Authority recommends approval with the following provisos: that the illuminated message board be one sided to face Expressway, non-flashing and display only messages relating to station's programming or of a public service and changed at infrequent intervals; that petitioner assure Board of Appeal that message board is adequately engineered to withstand wind stress; that plans be submitted to the Authority for design review.

Z-4839

83 LEO BIRMINGHAM PKWY.

(BRI.)



Board of Appeal Referrals 10/2/80

Hearing: 10/21/80

Z-4856
Richard & Diana Chapelle
35 Langley Road, Brighton
near Breck Avenue.

2 1/2-story frame structure.

District(s): apartment_____ general business_____ industrial_____
residential R-.5 local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: Change occupancy from two to three-family dwelling.

Violation(s): Section		Required	Proposed
8-7.	Dwelling converted for more families which does not meet the requirements of lot area is forbidden in an R-.5 District.		
14-2.	Lot area is insufficient.		
14-3.	Lot width is insufficient.		
15-1.	Floor area ratio is excessive.		

Proposed three-family density is inappropriate. Neighborhood is one and two-family residential. Parking congestion is a significant problem intensified by a steep grade of street. Abuttors and residents are opposed. Recommend denial.

VOTED: In reference to Petition Z-4856, brought by Richard and Diana Chapelle, 35 Langley Road, Brighton, for a forbidden use and three variances for change of occupancy from two to three family dwelling in a Residential (R-.5) District, the Boston Redevelopment Authority recommends denial. Proposed density is inappropriate for this one and two-family neighborhood. Parking congestion is a significant problem intensified by the steep grade of street.

NONANTUM
NORTH CRESCENT
ROAD
WASHINGTON
FAIRBANKS
STREET
BOSTONIA
CIRCUIT
AVENUE
FRANCES TER
BRICK
BRATTON
SOUTH CRESCENT
REGAL
LARCH
ROAD
KENRICK
STREET
EXTENSION
ROAD
GALLAGHER
MEMORIAL
PARK
CHANDLER'S
POND
ROAD
Z-4856
35 LANGLEY RD.
(BRI.)

Board of Appeal Referrals 10/2/80

Z-4889
Fred F. Deban
1857 Commonwealth Ave., Brighton
at Strathmore Road.

Hearing: 10/21/80.

2 1/2 story frame structure.

District(s): apartment H-2 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from six apartments to four apartments and four professional offices.

Violation(s):

Section	Required	Proposed
8-7. Professional offices are forbidden in an H-2 District.		

Proposal is inappropriate. A local priority is to retain the residential quality of Commonwealth Avenue. Parking and traffic congestion would be further aggravated by professional offices. Paving of front yard is not acceptable. Community groups strongly opposed. Recommend denial.

VOTED: In reference to Petition Z-4889 brought by Fred F. Deban, 1857 Commonwealth Avenue, Brighton, for a forbidden use for change of occupancy from four apartments and four professional offices in an Apartment (H-2) District, the Boston Redevelopment Authority recommends denial. Proposal is inappropriate. A local priority is to retain the residential quality of Commonwealth Avenue. Parking and traffic congestion would be further aggravated by professional offices. Paving of front yard is not acceptable.

Z-4889
1857 COMMONWEALTH AVE.
(BRI.)
ATWOOD ROAD
LEAMINGTON ROAD
CHISWICK ROAD
STRATHMORE
LOTHIAN ROAD
SIDLAW ROAD
COMMONWEALTH AVENUE
CHESTNUT HILL
ALEXANDER HAMILTON ELEMENTARY SCHOOL
WEST PARISH UNITARIAN CHURCH
KINROSS ROAD
LAMARK ROAD
SELKIRK ROAD
SUTHERLAND ROAD
PARKING
WALL

Board of Appeal Referrals 10/2/80

Z-4890
Norman J. DeLapouyade
11 Monument Square, Charlestown
near Tremont Street.

Hearing: 10/21/80.

Four story structure.

District(s):			
apartment H-1	general business	industrial	
residential	local business	waterfront	
single family		manufacturing	

Purpose: Change occupancy from four to five apartments.

Violation(s): Section	Required	Proposed
8-7. Dwelling converted for more families which does not meet the requirements of lot area and open space is forbidden in an H-1 District.		
14-2 Lot area is insufficient.		
15-1. Floor area ratio is excessive.		
17-1. Open space is insufficient.		

Petitioner will substantially renovate the building and occupy new apartment. Occupancy is consistent with surrounding properties. Abuttors and neighbors have no opposition. Recommend approval.

VOTED: In reference to Petition Z-4890, brought by Norman DeLapouyade, 11 Monument Square, Charlestown, for a forbidden use and three variances for change of occupancy from four to five apartments in an Apartment (H-1) District, the Boston Redevelopment Authority recommends approval. Occupancy is consistent with surrounding properties. Petitioner will substantially renovate building and occupy new apartment.

BUNKER HILL MONUMENT
MONUMENT SQUARE
WINTHROP SQUARE
THOMPSON SQUARE
HARVARD SQUARE
Z-4890
11 MONUMENT SQUARE
(CHSN.)

Board of Appeal Referrals 10/2/80

Z-4893
Tung Fong Realty, Inc.
40-44 Harrison Avenue, Boston
at Beach Street.

Hearing: 10/7/80.

Eight-story structure.

District(s): apartment_____ general business_____ industrial_____
residential_____ local business_____ waterfront_____
single family_____ manufacturing M-8

Purpose: Change occupancy from retail store, barber shop, dress manufacturing, ink manufacturing, warehouse and wholesale business display to seven apartments, marketplace, commercial and office space, two restaurants, accessory storage.

Violation(s):

Section		Required	Proposed
8-7	Multi family dwelling is conditional in an M-8 district		

Mixed residential/commercial uses are compatible with this commercial area and other developments in the downtown core. Recommend approval with proviso.

VOTED: In reference to Petition Z-4893, brought by Tung Fong Realty, Inc., 40-44 Harrison Avenue, Boston, for a conditional use for change of occupancy from retail store, barber shop, dress manufacturing, ink manufacturing, warehouse, wholesale business display to seven apartments, marketplace, commercial and office space, two restaurants, accessory storage in a manufacturing (M-8) District, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.

Z-4893

40-44 HARRISON AVE.
(B.P.)

Board of Appeal Referrals 10/2/80

Z-4896 - 4897
R. Morton Claflin
7 Willow & 37 Chestnut Sts.
Boston.

Hearing: 10/21/80.

4 1/2 story structure.

District(s): apartment H-2-65 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

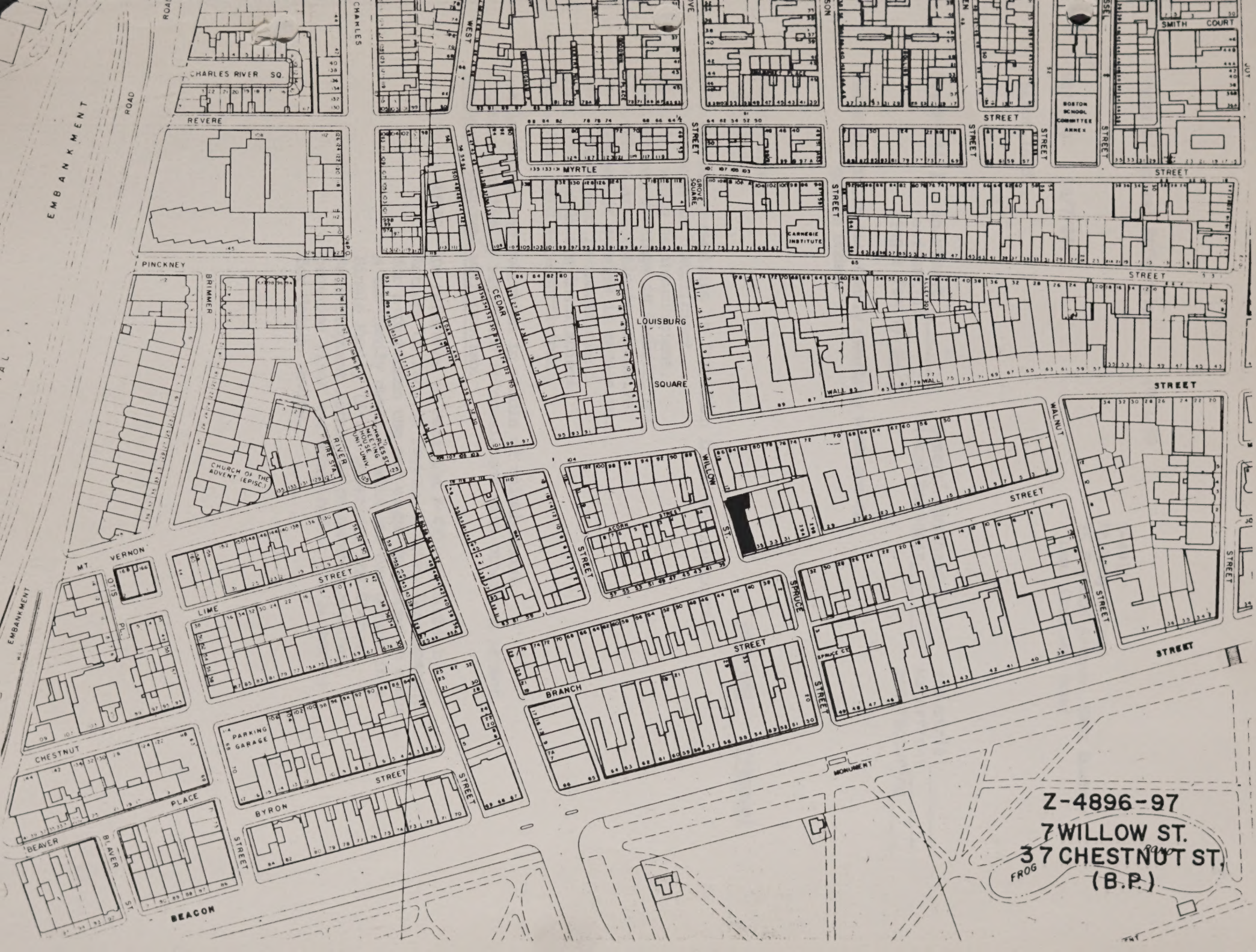
Purpose: Subdivide; change occupancy from three-family dwelling to two one-family dwellings.

Violation(s):

Section		Required	Proposed
15-1.	Floor area ratio is excessive.		
20-1.	Rear yard is insufficient.		

Subdivision will create two one-family dwellings divided by a party wall and enhance the residential character of the neighborhood. Recommend approval.

VOTED: In reference to Petitions Z-4896-4897, brought by R. Morton Claflin, 7 Willow and 37 Chestnut Streets, Boston, for four variances for change of occupancy from a three-family dwelling to two one-family dwellings in an Apartment (H-2-65) District, the Boston Redevelopment Authority recommends approval. Proposal will enhance the residential character of the neighborhood.


Z-4896-97
7 WILLOW ST.
37 CHESTNUT ST.
(B.P.)
CHARLES RIVER SQ.
REVERE
PINCKNEY
BRIMMER
CHURCH OF THE ADVENT (EPISC.)
CHARLES ST. MEETING HOUSE (UNIT. UNIV.)
RIVER
FIRE STA.
CEDAR
LOUISBURG SQUARE
MYRTLE
GROVE SQUARE
CARNEGIE INSTITUTE
WILLOW
ACORN
WALNUT
SPRUCE
BRANCH
MT VERNON
OTIS
LIME
CHESTNUT
PLACE
BEAVER
BYRON
PARKING GARAGE
BEACON
MONUMENT
FROG
SMITH COURT
BOSTON SCHOOL COMMITTEE ANNEX
EMBANKMENT ROAD
CHARLES
WEST
STREET

Board of Appeal Referrals 10/2/80

Z-4911
Anthony Corrao
96 Faywood Avenue, East Boston
near Crestway Road

Hearing: 10/7/80.

Vacant land.

District(s): apartment_____ general business_____ industrial_____
residential_____ local business_____ waterfront_____
single family S-.5 manufacturing_____

Purpose: Erect two-family dwelling with one-car garage under.

Violation(s):

Section		Required	Proposed
8-7.	Two-family dwelling is forbidden in an S-.5 District.		
14-2.	Lot area is insufficient.		
14-3.	Lot width is insufficient.		
14-4.	Street frontage is insufficient.		
15-1.	Floor area ratio is excessive.		
16-1.	Number of stories is excessive.		
18-2.	Front yard is insufficient.		
19-1.	Side yards are insufficient.		
20-1.	Rear yard is insufficient.		

Lot is vacant and overgrown in middle of neighborhood.
Proposed two-family residence is consistent with others on street.
Recommend approval with proviso.

VOTED: In reference to Petition Z-4911, brought by Anthony Corrao, 96 Faywood Avenue, East Boston, for a forbidden use and eight variances to erect a two-family dwelling with one car garage in a Single Family (S-.5) District, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.

Z-4911
96 FAYWOOD AVE.
(E.B.)
PARKING
SUFFOLK DOWNS PARK
AVENUE
CRESTWAY
ROAD
FAYWOOD
ROAD
BRADLEY ELEMENTARY SCHOOL
BEACHVIEW
SEA VIEW
ORIENT
AVENUE
ROAD
AVENUE
AVENUE
DRUMLIN
TOWER
STREET
SELMA
STREET
GLADSTONE
NORTHWOOD ST
STREET
STREET
LEYDON
STREET
WALLEY
STREET
WALL
WALLS